

SANTA MONICA BAY RESTORATION COMMISSION

MINUTES OF THE MEETING
OF
THE GOVERNING BOARD

October 21st, 2010
Del Rey Yacht Club

1. Welcome and Introductions

At 9:49 AM, alternate Chair Mark Pestrella called the meeting to order. Introductions followed.

2. Approval of the August 19th, 2010 Meeting Minutes

Pestrella asked for a motion to approve meeting minutes. Minutes approved without objection. (M: Tam, S: Crosson)

3. Order of Agenda

Agenda order not changed.

4. Reports from the Chair and Executive Committee

Pestrella discussed several items that were addressed at the Executive Committee meeting, including planning for the Rainwater Harvesting Symposium and upcoming events such as Coastal Cleanup Day, World Oceans Conference, Oil Spill Symposium, and the Ballona Wetlands Symposium.

He noted that the Santa Monica Bay Joint Power Authority (JPA) would be available to administer the State-wide Boater Education Program. The JPA would exist between the Santa Monica Bay Restoration Commission and the LA County Flood Control District. The Flood Control District will consider approval of this item in November, 2010.

Last week the California Coastal Commission approved the permit that was required to begin work on the Malibu Lagoon Restoration project.

Pestrella discussed a need to complete a sustainable strategic financial plan for the Commission, and welcomes additional advice from the governing board members. Please contact Guangyu Wang, gwang@waterboards.ca.gov, if you are interested.

The Executive Committee elected Dr. Ariana Pitchon to the Marine Resources Advisory Committee.

Lastly, the agenda for the Governing Board meeting was discussed at the EC meeting.

5. Report from the Technical Advisory Committee (TAC)

Richard Ambrose, Technical Advisory Committee Chair, discussed follow up work completed by the TAC on the 2010 State of the Bay report. The TAC is already preparing for the 2015 State of the Bay report, reviewing the indicators used in the report, and data sources available.

Last Wednesday, the Marine Resources Advisory Committee met to refocus its attention on the main issues coming up including technical monitoring data needed throughout the MLPA process. Discussion of the MLPA process followed.

6. Reports from the Executive Director and Staff

Shelley Luce, Executive Director, announced the results of the California Coastal Commission hearing regarding the Malibu Lagoon Restoration project. The Commission unanimously approved the Coastal Development permit needed to restore Malibu Lagoon. This is the final permit needed to start restoration work next summer and its culmination of decades of study and discussion. Luce noted that this effort

would not be possible without the years of community meetings, detailed planning, and fundraising and permitting, led by California State Parks & California Coastal Conservancy.

Luce also announced the Ballona Wetlands Symposium which will take place at Loyola Marymount University on December 8th, 2010. Please confirm your attendance because space is limited.

Luce gave a brief update of the California Fish & Game commission hearing that took place yesterday. She stated that the commission will release the result of the final EIR for the MPA network.

Dean Kubani reported on the success of the Rain Harvesting Symposium. Several governing board members attended the symposium and offered a thank you to Tree People who hosted the event at their facility.

Michelle Kearney, SMBRF staff member, announced results from Coastal Cleanup Day 2010. SMBRF was host to the only kayak cleanup site in Los Angeles County, in Marina del Rey, CA from 9am-12noon on September 25th, 2010.

Scott Valor, SMBRC staff member, distributed the sign-in sheet, and requested members make necessary changes to contact information.

7. Consideration of Resolution to Support the Ballona Wetlands Restoration Process

Luce explained that Richard Bloom directed staff at the August 2010 governing board meeting to draft a resolution to support the Ballona Wetlands Restoration Process. In addition the governing board is asked to support the ongoing CEQA process regarding the Ballona Wetlands Restoration process. The SMBRC requests that the Governing Board support its involvement in the restoration process.

Marcia Hanscom made public comment as Chair of the Sierra Club Ballona Wetlands Restoration Committee and as co-director of the Ballona Institute. Hanscom described her participation in all public meetings open to the public regarding Ballona Wetlands since 2003, and her concern that not all meetings that should be public are made open to interested parties. Because of this she asked the Governing Board to not support the resolution to support the Ballona Wetlands Restoration process. Additionally she questioned what type of restoration management the Commission is seeking.

Kathy Knight made public comment on behalf of the Ballona ecosystem education project. Knight expressed concern over including other groups in the restoration process and the channelization of the Ballona Wetlands. Knight requested the Governing Board not to support the Ballona Wetlands Restoration process.

Patricia McPherson made public comment as President of the Grassroots Coalition. McPherson expressed a desire to understand the relationship between the Santa Monica Bay Restoration Commission and the Ballona Wetlands Restoration Process.

Robert Van de Hoek made public comment as a biologist and geologist local to the area. Van de Hoek described the hydrological system in Ballona Wetlands and the need to study hydrology and the ecosystem further.

John Davis made public comment urging the Governing Board not to support the Ballona Wetlands Restoration Process because it is insufficient to make a decision at this stage. Davis described the need to include "whereas the project is governed by the US Rivers and Harbors Act" as he stated that US Public Law 780 governs the project.

Susan Nissman asked SMBRC staff to address the CEQA process and how the Resolution resolved here today will address the habitat issues brought forth by the public comment participants. Luce and Ambrose discussed a brief overview of the CEQA process and the science advisory committee that helped developing the different alternatives for the Ballona Wetlands. Information is available at www.ballonarestoration.org.

Gold suggested to amend the resolution to include “whereas the protection of Ballona Wetlands aquatic beneficial uses is required under the Clean Water Act and the Porter-Cologne Act.”

Portia Cohen asked to clarify the issue raised at public comment on this issue regarding whether there was exclusion of the public to participate in public meetings, or whether there was simply disagreement on the process to restore Ballona Wetlands.

The board approved the resolution, as amended, with no “no” votes. (M: Wan, S: Gold. Abstention: O’Leary).

8. Consideration of Appointment of Two Governing Board Members to the Santa Monica Bay Restoration Authority Governing Board

Valor explained the position of the Santa Monica Bay Restoration Authority and its affiliation with the LA County Flood Control District. Richard Bloom and John Sibert were nominated to serve on the JPA Governing Board. (M: Nissman. S: by O’Leary. Approved unanimously.)

9. Presentation on the Designation of Malibu as the first World Surfing Reserve (by Michael Blum, President, Malibu Surfing Association)

Michael Blum, President of the Malibu Surfing Association, presented on the Designation of Malibu as the first World Surfing Reserve. Nine additional surf breaks in the country are currently nominated as part of the World Surfing Reserve. Blum stated that the World Surfing Reserve was inspired by the World Heritage Site designations conducted by UNESCO. Blum also added that the importance of this classification is to preserve world class surf breaks.

10. Member Comment

Nissman announced that Senator Jenny Oropesa passed away yesterday, October 20th, 2010. Additionally, the LA County Board of Supervisors approved a ban on polystyrene.

Mike Gin announced a surfing ceremony taking place in Redondo on November 7th, 2010.

Fran Spivy-Weber announced the process by the State to complete an EIR for trash TMDLs.

Angus Alexander distributed an activity report from the Los Angeles County Fire Department which describes the public safety activity for the first 6 months of this year.

Sona Kalapura thanked staff, Sarah Woodard, for attending a PIE event, in Manhattan Beach last weekend.

11. Public Comment

Kathy Knight made public comment on behalf of the Ballona ecosystem education project. Knight urges the SMBRC to include the Sierra Club or grassroots organization that fought to save Ballona Wetlands on the Governing Board. Knight urges the SMBRC to not bring in bulldozers to restore Ballona Wetlands. Knight would also like to find out more about the SMBRC Governing Board members.

Marcia Hanscom made public comment in regards to Malibu Lagoon restoration. Hanscom questioned the SMBRC involvement in the restoration of Malibu Lagoon.

Athena Shlien made public comment as a Malibu resident and avid surfer. Shlien described the precautionary principle and the adoption of this by the City of San Francisco. She urged the SMBRC to use the same principle in regards to Malibu Lagoon restoration and the use of bulldozers.

Robert Van de Hoek commented as a biologist. Van de Hoek described memories of Senator Jenny Oropesa and her involvement in the restoration of Ballona Wetlands. Van de Hoek also described his involvement in the 26 public meetings and that they did not involve the public commenting on the process but rather just listening to the agencies’ discussion of the process.

Patricia McPherson made a comment on behalf of the Grassroots Coalition. McPherson expressed concern that the public is not aware of the relationship between the SMBRC and the SMBRF and the groups that coordinate projects with this group.

John Davis made a comment as member of the public. He questioned the SMBRC's negligence in its jurisdiction of Marina del Rey. In its jurisdiction Marina del Rey is commercial. Davis said the SMBRC is bound by US Public Law 780 and it is its duty to address these issues.

12. Announcement of next meeting date

The next Governing Board meeting will be held on December 16th, 2010 at 9:30 a.m.

13. Adjournment

Meeting was adjourned in memory of Senator Jenny Oropeza and Ron Shaffer of California State Parks at 11:54 am.

Attendance:

Voting Members of the Governing Board:

Portia Cohen, At-Large Member BWC (City Council Member, City of Manhattan Beach)
Liz Crosson, Public Member (Environmental/Public Interest, Santa Monica Baykeeper)
Mike Gin, South Bay Cities (City of Redondo Beach, Mayor)
Mark Gold, Public Member (Environmental/Public Interest), Santa Monica Baykeeper
Dean Kubani (alternate for Richard Bloom), President, Bay Watershed Council
Steve Maguin, LA County Sanitation District
Michael Mullin (alternate for Antonio Villargosa), Office of the Mayor, City of Los Angeles
Susan Nissman (alternate for Zev Yaroslavsky), LA County Board of Supervisors (Supervisor, 3rd District)
Michael O'Leary, Ballona Creek Watershed Cities (Culver City)
Mark Pestrella (alternate for Gail Farber), LA County Department of Public Works
John Sibert, Malibu Watershed Cities (City of Malibu)
Fran Spivy-Weber (alternate for Linda Adams), California Environmental Protection Agency
Wing Tam (alternate for Enrique Zaldivar), LA City Department of Public Works
Sara Wan, California Coastal Commission

Non-Voting Members of the Governing Board:

Angus Alexander, LA County Fire Department, Lifeguard Division
Richard Ambrose, Technical Advisory Committee, Chair
Lisa Fimiani (alternate for Catherine Tyrrell), Santa Monica Bay Restoration Foundation, President
Stephanie Molen (alternate for Fran Pavley), California State Senator, 23rd District
Randal Orton (alternate for Charles Caspary), Las Virgenes Municipal Water District
Louise Rishoff (alternate for Julia Brownley), State Assemblymember, 41st District
Rorie Skei (alternate for Joe Edmiston), Santa Monica Mountains Conservancy
Paul Wong (alternate for Santos Kreimann), LA County Department of Beaches & Harbors

Commission Staff:

Sean Bergquist
Tom Ford
Joel Hanson
Diana Hulbert
Karina Johnston
Michelle Kearney
Grace Lee
Shelley Luce
Ivan Medel
Elena Tuttle
Scott Valor
Guangyu Wang

Sarah Woodard

Other Attendees, including other Bay Watershed Council Members:

Michael Blum, Malibu Surfing Association

Ian Bryant, Public

John Davis, Public

Marcia Hanscom, Sierra Club, Ballona Institute, Wetlands Defense Fund

Sona Kalapura, At-Large Member BWC (City Council Member, City of Manhattan Beach)

Kathy Knight, Ballona Ecosystem Education Project

Patricia McPherson, Grassroots Coalition

Athena Shlien, Public

Rod Spackman, Public

Robert Van de Hoek, Wetlands Defense Fund

Kaden Young, City of Culver City